



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Robert Stephen COOKE et al.

Serial No.: 10/049,800 (Conf. no. 6216)

International Filing Date: August 14, 2000

For: PORTAL IMAGING DEVICE

Attorney Docket No.: FHW-100US

Group Art Unit:

Examiner:

TECHNOLOGY CENTER 2800

RECEIVED

MAY - 9 2003

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BOX PCT
Washington, D.C. 20231

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November 19, 2002

By: Nelson Barro

03/03/2003 LLANDGRA 00000072-10049800-

01 FC:1255— 1970.00 CH

REQUEST FOR FIVE-MONTH EXTENSION OF TIME

Dear Sir:

Applicants request a five-month extension of time, up to and including November 19, 2002, in which to respond to the Notification of Missing Requirements under 35 U.S.C. 371 in the U.S. Designated/Elected Office dated April 19, 2002.

The Commissioner is hereby authorized to charge the amount of \$1,960.00 to Deposit Account No. 12-0080 to cover the payment of the extension fee. Please charge any additional fees and credit any overpayments associated with this correspondence to

Adjustment date: 11/24/2003 EEKUBAYA
03/03/2003 LLANDGRA 00000072 120080 10049800
01 FC:1255 1970.00 CR

IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)
(National Phase of International Appln.: PCT/GB00/03117,
Publication No. WO 01/12066 A2)

In re the
application of: **Robert Stephen COOKE, et al.**

International Application No.: PCT/GB00/03117

International Filing Date: 14 August 2000

U.S. Serial No.: 10/049,800 (Conf. No. 6216)

Filed in US: February 15, 2002

For: **PORTAL IMAGING DEVICE**

Attorney Docket No.: **FHW-100US**

Commissioner for Patents
Box 16
Washington, D.C. 20231

Attn: Refund Section
Accounting Division, Office of Finance

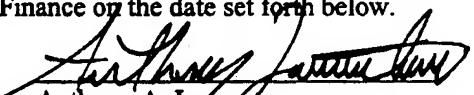
Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 16, Washington, D.C. 20231, Attn: Refund Section, Accounting Div., Office of Finance on the date set forth below.

March 13, 2003

Date of Signature and of Mail Deposit

By:


Anthony A. Laurentano
Reg. No. 38,220
Attorney for Applicants

REQUEST FOR REFUND

Dear Sir:

Applicants request a refund of \$1,970 charged to our Deposit Order Account
No. 12-0080 on March 3, 2003.

Re: U.S.S.N 10/049,800

On November 19, 2002 Applicants' attorney filed a Response to Notification of Missing Requirements, a Request for Five-Month Extension of Time, and a Notice of Correction in Small Entity Status. This Response was not matched with the application, and a Notice of Abandonment dated January 13, 2003 was subsequently received from the U.S. Patent Office. On February 4, 2003 our Deposit Order Account No. 12-0080 was charged \$1,960 corresponding to the Request for Five-Month Extension of Time filed on November 19, 2002. Please note that an undated *Notification* from the U.S. Patent Office stating that the Notice of Abandonment had been vacated was received in our office on February 18, 2003. However, prior to receipt of this Notification, on February 14, 2003, Applicants' attorney filed a *Petition for Withdrawal of Holding of Abandonment of a Patent Application under 37 CFR 1.181* including a copy of the Response to Notification of Missing Requirements and Request for Five-Month Extension of Time filed on November 19, 2002. On March 3, 2003 a charge of \$1,970 was made to our Deposit Order Account No. 12-0080 for the same Request for Five-Month Extension of Time filed on November 19, 2002 and charged to our Deposit Order Account 12-0080 on February 4, 2003. We enclose a copy of our Firm's Deposit Order Account showing these charges.

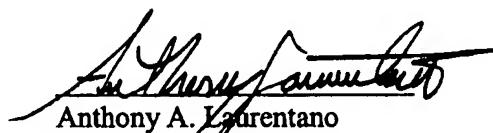
To support this request, Applicants' attorney encloses a complete copy of the *Petition for Withdrawal of Holding of Abandonment of a Patent Application under 37CFR 1.181* filed on February 14, 2003 and a copy of the *Notification* from the U.S. Patent Office stating that the Notice of Abandonment had been issued in error and was vacated.

Re: U.S.S.N 10/049,800

Since we have been charged twice for the five-month extension fee, Applicants' attorney respectfully requests that \$1,970 be credited to our Deposit Account No. 12-0080. For this purpose, we enclose a duplicate copy of this letter.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: March 13, 2003

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CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only
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February 14, 2003

Commissioner for Patents
Washington, D.C. 20231

COPY

Re: U.S. Patent Application Serial No. 10/049,800
Titled: "PORTAL IMAGING DEVICE"
Inventors: Robert Stephen Cooke *et al.*
International Filing Date: August 14, 2000
Attorney Docket No. FHW-100US

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Petition for Withdrawal of Holding of Abandonment of a Patent Application under 37 CFR 1.181 (2 pgs);
2. A copy of a Response to Notification of Missing Requirements filed on November 19, 2002 (2 pgs);
3. A copy of the Transmittal Letter filed with the Response to Notification of Missing Requirements on November 19, 2002 (1 pg);
4. A copy of a Request for Five-Month Extension of Time filed on November 19, 2002 (2 pgs);
5. A copy of an Express Mail Label used in Missing Requirement filing on November 19, 2002 (1 pg);
6. A copy of the Return Mailroom Postcard used in filing on November 19, 2002 (1 pg); and
7. A Pre-paid acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

February 14, 2003

Date

David R. Burns
David R. Burns, Reg. No. 46,590

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

David R. Burns
David R. Burns
Reg. No. 46,590
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Robert Stephen COOKE et al.

Serial No.: 10/049,800 (Conf. no. 6216)

International Filing Date: August 14, 2000

For: PORTAL IMAGING DEVICE

Attorney Docket No.: **FHW-100US**

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

Commissioner for Patents

Washington, D.C. 20231

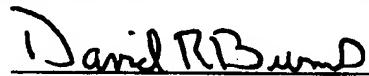
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February 14, 2003

Date of Signature and of Mail Deposit

By:


David R. Burns
Reg. No. 48,590

Petition For Withdrawal of Holding of Abandonment of a Patent Application
Under 37 CFR 1.181

Dear Sir:

Pursuant to 37 CFR §1.181 the undersigned hereby petitions to withdraw the holding of abandonment issued in connection with the above-identified patent application.

On January 16, 2003, Applicant's Attorney received by mail the Notice of Abandonment which had been date stamped January 13, 2003 by the Patent and Trademark Office and which indicated that the application had been abandoned.

It is respectfully submitted that Applicant on November 19, 2002, timely and properly filed a response to the Notification to File Missing Requirements mailed April 19, 2002.

Re: U.S.S.N. 10/049,800

Accordingly, Applicant respectfully petitions the Commissioner to withdraw the holding of abandonment in the application. Applicants' responsive filing on **November 19, 2002**, using the Express Mail Procedure under 37 CFR 1.10, extended the response period for the Notification of Missing Requirements to **November 19, 2002**, by the concurrent filing therewith of a petition entitled Request for Five-Month Extension of Time to extend the response period and fee for extension of time under the provisions of 37 CFR 1.136(a).

The present Petition includes the following facts and documentation in support of the timely and properly filed Response to Notification of Missing Requirements: evidence of receipt of the required reply and fee by the Patent and Trademark Office, namely, a copy of the Response to Notification of Missing Requirements, a copy of the Transmittal letter filed with the Response to Notification of Missing Requirements, a copy of a Request for Five-Month Extension of Time, a copy of the Return Mailroom Postcard and a copy of the Express Mail Label used to file the above documents in the Patent and Trademark Office on **November 19, 2002**.

Accordingly, Applicants contend that their responsive filing on **November 19, 2002**, was timely filed and received by the Patent and Trademark Office, but was not correlated with the application and the application has been erroneously held abandoned. Hence, Applicants' respectfully request that the present application be reinstated, and passed to examination.

If there are any questions concerning the petition to Withdraw the Holding of Abandonment, the Examiner is invited to telephone Applicant's representative at the telephone number listed below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

David R. Burns

David R. Burns
Registration No. 46,590
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: February 14, 2003

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November 19, 2002

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Commissioner for Patents
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Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/049,800
Titled: "PORTAL IMAGING DEVICE"
Inventors: Robert Stephen Cooke *et al.*
International Filing Date: August 14, 2000
Attorney Docket No. FHW-100US

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notification of Missing Requirements (2 pgs. in duplicate);
2. Executed Declaration, Petition and Power of Attorney (4 pgs.);
3. Copy of 371 Formalities Letter (2 pgs.);
4. Request for Five-Month Extension of Time (2 pgs. in duplicate);
5. Notice of Correction in Small Entity Status (2 pgs. in duplicate); and
6. Pre-paid acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

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Date of Deposit November 19, 2002

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Nelson Barros
Signature

Nelson F. Barros

Please Print Name of Person Signing

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano
Anthony A. Laurentano, Esq.
Registration No. 38,220
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Robert Stephen COOKE et al.

Serial No.: 10/049,800 (Conf. no. 6216)

International Filing Date: August 14, 2000

For: PORTAL IMAGING DEVICE

Attorney Docket No.: FHW-100US

Group Art Unit:

Examiner:

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Commissioner for Patents

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November 19, 2002

Date

By: Nelson Barros

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir or Madam:

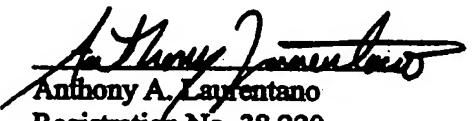
Responsive to the *Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)* dated April 19, 2002 in connection with the above-referenced patent application, the response period to which is extended to November 19, 2002 by the enclosed Request for Five-Month Extension of Time, an executed *Declaration, Petition and Power of Attorney* is submitted herewith. A copy of the 371 Formalities Letter is also enclosed.

Re: U.S.S.N. 10/049,800
Conf. No. 6216

No fees are due with this submission. However, please charge any necessary fees to Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.* If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicants

28 State Street
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Date: November 19, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Attorney Docket No.: FHW-100US

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November 19, 2002

Date

By: Nelson Barron

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U.S.S.N. 10/049,800
Conf. No. 6216

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Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Anthony A. Laurentano
Registration No. 38,220
Attorney for Applicant

28 State Street
Boston, MA 02109
(617) 227-7400

Date: November 19, 2002

LAHIVE AND COCKFIELD, LLP.
DEPOSIT ORDER ACCOUNT NO. 12-0080

YEAR 2003 USPTO STATEMENT

DATE POSTED	CONTROL No.	SERIAL #	DOCKET #	Fee Code	CHARGES/ CREDIT
4-Feb	1	10049800	FHW-100US	1255	\$1,960.00
3-Mar	257	10049800	FHW-100US	1255	\$1,970.00